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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,301	12/15/2005	Tor Berdal	RR-600 PCT/US	2828
20427	7590	12/04/2009	EXAMINER	
RODMAN RODMAN 10 STEWART PLACE SUITE 2CE WHITE PLAINS, NY 10603			NGUYEN, JIMMY T	
			ART UNIT	PAPER NUMBER
			3725	
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			12/04/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/561,301	<b>Applicant(s)</b> BERDAL ET AL.	
	<b>Examiner</b> JIMMY T. NGUYEN	<b>Art Unit</b> 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 14-23 and 26-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-23 and 26-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/15/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

The amendment filed on August 07, 2009 has been entered and considered and an action on the merits follows.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawings of the materials as claimed in claims 33 and 39, and “a reverse vending machine” (claims 34 and 40) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 14-23 and 26-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding the independent claims 14 and 26, the recitation “a clutch which has means for slip free power engagement with a coupling device” and “wherein the means for slip free power engagement include a contact surface formed on the one or more engagement blocks for a slip free engagement with the cam shaped engagement means at the instant that engagement occurs between the movable engagement block or blocks and the cam shaped engagement means” are new matter. Nowhere in the original specification discloses that the power engagement means of the clutch is a *slip free* power engagement means and nowhere in the original specification discloses the functional recitation, “... *for a slip free engagement* with the cam shaped engagement means ***at the instant*** that engagement occurs between the movable engagement block or blocks and the cam shaped engagement means (emphasis added)”

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Regarding claim 35, the recitation “wherein the means for sudden power engagement include a contact surface formed on the one or more engagement blocks for a slip free engagement with the cam shaped engagement means at the instant that engagement occurs between the movable engagement block or blocks and the cam shaped engagement means” is new matter because the recitation “slip free” and the functional recitation “at the instant” do not have support in the original specification as noted above.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 14-21, 26-32, and 35-38, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Maurer (US 2,055,300).**

Maurer discloses an apparatus for transmission of power from a motor (fig. 1) to a functional unit (fig. 1) via a flywheel (28) which form a part of a power transmission device (fig. 2), the transmission device comprising as part thereof a mechanism in a form of a clutch (fig. 2) which has means for slip free power engagement (31, 32) with a coupling device (34), the mechanism consists of moveable engagement blocks (32) which are mounted on a guide device(31), the blocks are designed, through centrifugal force during an increasing rotational speed of the flywheel, to move radially outward to engage with engagement means (i.e. an inner surface of the coupling device (34)) (page 2, col. 1, lines 70-75), the guide device consists of an

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articulated arm (see a portion that is connected directly to a pin (30) in figure 3). The clutch mechanism forming further connection with the functional unit (via the shaft (18)); said coupling device including a rotating part with cam shaped engagement means (i.e. the Examiner defines an inner surface of the element (34) is the cam shaped engagement means), power transmission to the functional unit taking place when the rotational speed of the flywheel passes a predetermined threshold value wherein the movable engagement block or blocks, move radially outwards through use of centrifugal force during the increasing rotational speed of the flywheel (page 2, col. 2, lines 3-15), wherein the engagement block or blocks are configured such that at a predetermined rotational speed of the flywheel, the engagement block or blocks suddenly engage with the cam shaped engagement means on the rotating part of the coupling device which is a part of the power transmission device and which forms further connection to the functional unit (page 2, col. 2, lines 15-32), and wherein the means for slip free power engagement include a contact surface formed on the one or more engagement blocks for slip free (see page 2, col. 2, lines 32-33, which discloses “.. the percentage of slip decreases until it becomes substantially zero”, and thus it becomes slip free when fully engaged) engagement with the cam shaped engagement means at the instant (i.e. the Examiner interprets the recitation “instant” is when the moment when the percentage of slip decreases become substantially zero as noted above) that engagement occurs between the movable engagement block or blocks and the cam shaped engagement means, wherein at least one pair of said engagement blocks is used and wherein the guide device consists of an articulated arm device common to the pair of engagement blocks, with articulated arms that are pivotally connected to the flywheel (figs. 2 and 3).

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 14-23 and 26-40, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. (hereinafter “Thompson”) (US 6,290,155) in view of Maurer (US 2,055,300).**

Thompson discloses a functional unit is designed and dimension of disintegrate wood (see abstract), the unit is driven by a drive system (fig. 1) that includes a power transmission device (135). Thompson does not expressly disclose that the power transmission is a mechanism in a form of a clutch. However, the patent to Maurer teaches an apparatus for transmission of power for a motor (fig. 1) to a functional unit (B) via a flywheel (fig. 2) which form a part of a power transmission device (fig. 2) as claimed as noted above. Maurer discloses the power transmission can be used in other mechanism embodying a clutch (page 1, col. 1, lines 44-45). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the power transmission device of Thompson with the type of power transmission device as taught by Maurer, in order to improve the controlling of the functional unit (page 1, col. 1, lines 1-4).

***Response to Arguments***

Applicant's arguments filed August 07, 2009 have been fully considered but they are not persuasive.

In general, the applicant argued that Maurer fails to disclose the amended claim 1, this argument is not found persuasive because Maurer does disclose the amended claim 1 as set forth and explained in the 35 USC 102 rejections above.

Applicant further argued the combination of Thompson and Maurer is improper because there are no benefits or advantages resulting from the combination. This argument is not found persuasive because Maurer discloses that the clutch mechanism would improve in controls of a mechanism (page 1, col. 1, lines 1-4), thus provides a benefit. Accordingly, a motivation has been established and the combination is proper.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JIMMY T. NGUYEN whose telephone number is (571)272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Fri. 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272- 4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen  
November 24, 2009

/Jimmy T Nguyen/  
Primary Examiner, Art Unit 3725